

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TAM TRAN,

Plaintiff,

v.

KELLI E OSLER,

Defendant.

CASE NO. 3:23-cv-05215-BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge David W. Christel's Report and Recommendation (R&R), Dkt. 3, recommending that the Court deny pro se Plaintiff Tam Tran's application to proceed *in forma pauperis* and dismiss the case with prejudice and without leave to amend as frivolous and without merit.

This case is one of more than 20 substantially similar cases Tran has filed in this District this year. It, like the others, contains no factual allegations and no legal theory of liability. Instead, Tran's statement of claim in this case asserts in its entirety:

Judge Kelli E Osler is Racist, Hate crime, color
 National origin on race and more, prosecutor
 me, Sheriff Arrest me, No translator, No document
 Violate civil Rights Laws, No Lawyer work, me
 Nothing wrong No damage, Judge Violation
 1st Amendment and Federal Civil Rights Laws

Dkt. 1-2 at 5. Tran seeks \$10 billion and asserts that he needs “investigation prosecutor, criminal case.” *Id.*

The R&R thoroughly catalogues the deficiencies in this case, which are also present in Tran’s other cases. Dkt. 5. It recommends dismissal with prejudice and without leave to amend, and the denial of *in forma pauperis* status in the event of any appeal.

Tran has not objected to the R&R and it is ADOPTED.

Tran’s application to proceed *in forma pauperis* is DENIED, and he shall not have that status in the event of an appeal. The matter is DISMISSED with prejudice and without leave to amend.

Furthermore, Tran’s practice of filing repetitive, facially frivolous complaints, seeking to proceed *in forma pauperis*, and refusing to amend his complaint, is abusive and vexatious. If he continues to do so, he will be subject to a bar order, precluding him from filing additional cases in this District without prior court approval. 28 U.S.C. § 1915(g); *see also, e.g., McGlown v. United States Dep’t of Com.*, No. 23-cv-0049 TL, 2023 WL 1778934, at *3 (W.D. Wash. Feb. 6, 2023).

The Clerk shall enter a JUDGMENT and close the case.

IT IS SO ORDERED.

1 Dated this 14th day of April, 2023.

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4 BENJAMIN H. SETTLE
5 United States District Judge
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